



# Department of Justice

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



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## **Largest Ozone Protection Program Settlement Reached**

The United States has reached an agreement with Meyer's Bakery, headquartered in Little Rock, Ark., to settle outstanding claims for violations of the Clean Air Act regarding the protection of the stratospheric ozone for \$3.5 million in penalties. This settlement, filed in U.S. District Court in Fort Smith, Ark., is the largest settlement in the history of the U.S. Environmental Protection Agency's (EPA stratospheric ozone protection program.

Meyer's is a large commercial bakery that produces bread, muffins and other bakery goods for distribution throughout the United States and Canada. The violations occurred at Meyer's facilities in: Hope, Ark.; Arizona City, Ariz.; Orlando, Fla.; Wichita, Kan.; and Cleburne,

CFCs (chlorofluorocarbons) and HCFCs (hydrochlorofluorocarbons) destroy stratospheric ozone, which is the Earth's protection against ultraviolet radiation. Ultraviolet radiation can cause skin cancer and cataracts, depress the immune system, decrease crop output and destroy plankton in the oceans where our food chain begins.

"Meyer's allowed thousands of pounds of HCFCs to leak from appliances without performing required repairs. It is important that businesses using these substances manage them responsibly, or face swift action by the EPA," EPA Regional Administrator Gregg Cooke said.

In comparison, an average home's air conditioning system holds 7 to 8 pounds of refrigerant. A car's system holds about 2 pounds.

"This penalty marks the largest civil fine to date under the government's program to control emissions that destroy the earth's ozone layer," said Lois Shiffer, the Assistant Attorney General for the Environment at the Justice Department.

This agreement sets a new precedent for EPA enforcement of leak repair regulations at industrial facilities. EPA is committed to increasing its oversight of these facilities to achieve greater compliance with the regulations to ensure protection of public health and the environment.

Clean Air Act regulations require certain types of industrial facilities to repair leaks from appliances that exceed a 35 percent annual leak rate. Meyer's service logs revealed that Meyer's continued to add refrigerant and operate equipment without making repairs even where the leak rates were greater than 58 percent and as high as 22,531 percent.

These high leak rates resulted in the release of thousands of pounds of ozone depleting substances to the atmosphere. Additionally, Meyer's did not follow up repairs with leak checks, maintain complete service records or develop a retrofit or replacement plan for these leaky systems.

More information on refrigerants and ozone depletion is available on EPA's website at [http://www.epa.gov/r02earth/epd/ques\\_ans/cfcfaq.htm](http://www.epa.gov/r02earth/epd/ques_ans/cfcfaq.htm) and [www.epa.gov/ozone](http://www.epa.gov/ozone).

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